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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,421	01/30/2002	Mineo Arai	1506.1016	4753

21171 7590 09/19/2006

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

DOAN, DUYEN MY

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/058,421	ARAI, MINEO	
	Examiner	Art Unit	
	Duyen M. Doan	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the office action filed on 6/20/06. Claims 1-12 are amended for examination. Claim 13 is newly added.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Cohen (us pat 6,553,507).

A regarding claim 13, Cohen discloses searching for trouble (col.2, lines 56-65; col.3, lines 1-25, look for faults); and when said searching fails to discover said trouble (col.2, lines 56-65; col.3, lines 1-25, if cannot find in the fault database), electronically notifying at least one device of said trouble based on data identifying a manufacturer (col.2, lines 56-65; col.3, lines 1-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calvert et al (us pat 5,287,505) (hereinafter Calvert) in view of Cohen (us pat 6,553,507), and further in view of Pretz (us pat 6,014,658).

As regarding claim 1,5 and 9 Calvert discloses a first storing step of storing case data containing a description of a trouble and a troubleshooting procedure (see Calvert col.10, lines 26-47); a step of accepting, when said server computer receives from said terminal device a notification that the trouble occurs, trouble data containing a description of the trouble from said terminal device (see Calvert col.2, lines 23-64); a step of searching for the case data in which the description of this trouble is coincident with the description of trouble in the trouble data (col.2, lines 23-64; col.3, lines 37-67); a first transmitting step of transmitting, if the case data is specified in said searching step, the troubleshooting procedure in the specified case data to said terminal device (col.2, lines 23-64).

Calvert does not disclose a second transmitting step of transmitting, if the case data is not specified in said searching step, new notification data containing the description of the trouble and indicating that the trouble occurred afresh to said maker-sided device; a step of obtaining answer data containing a troubleshooting procedure

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corresponding to the new notification data from said maker-sided device, said new notification data being transmitted according to data related to a maker; a second storing step of storing the troubleshooting procedure contained in the answer data obtained in said obtaining step and the description about the corresponding trouble as new case data; and a third transmitting step of transmitting the troubleshooting procedure in the case data stored in said second storing step to said terminal device.

Cohen teaches a second transmitting step of transmitting, if the case data is not specified in said searching step, new notification data containing the description of the trouble and indicating that the trouble occurred afresh to said maker-sided device, said new notification data being transmitted according to data related to a maker (see Cohen col.2, lines 56-67 to col.3, lines 1-17, look for fault in the fault database, if fault is not found, it is determine that the fault is the new fault and forward it to the vendor); a step of obtaining answer data containing a troubleshooting procedure corresponding to the new notification data from said maker-sided device (see Cohen col.2, lines 56-67 to col.3, lines 1-17, look for fault in the fault database, if fault is not found, it is determine that the fault is the new fault and forward it to the vendor).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Cohen to the system of Calvert to transmit the trouble occur afresh to the maker-sided device and obtain answer from the maker-sided device because by transmitting the trouble occur afresh to the maker-sided device and obtain answer from the maker-sided device would obviate the need for a user to have to wait for a new version of a software program to become available in

order to solve a problem with an existing version of software (see Cohen col.1, lines 58-67).

The combination of Calvert and Cohen discloses the invention as claimed, but the combination of Calvert-Cohen does not disclose a second storing step of storing the troubleshooting procedure contained in the answer data obtained in said obtaining step and the description about the corresponding trouble as new case data; and a third transmitting step of transmitting the troubleshooting procedure in the case data stored in said second storing step to said terminal device.

Pretz teaches a second storing step of storing the troubleshooting procedure contained in the answer data obtained in said obtaining step and the description about the corresponding trouble as new case data (see Pretz col.5, lines 1-53; col.6, lines 23-49); and a third transmitting step of transmitting the troubleshooting procedure in the case data stored in said second storing step to said terminal device (see Pretz col.5, lines 1-53; col.6, lines 23-49).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Pretz to the system of Calvert-Cohen to store the troubleshooting procedure contained in the answer data obtained in said obtaining step and the description about the corresponding trouble as new case data and transmit to the user because by storing the troubleshooting procedure contained in the answer data obtained in said obtaining step would increase the response time of the server in the way that if the next third party with a similar question can be help immediately (see Pretz col.6, lines 31-49).

As regarding claims 2, 6 and 10 Calvert-Cohen-Pretz discloses wherein the trouble data contains using component information indicating a component used by the user when the trouble occurs (see Calvert col.1, lines 38-67; col.2, lines 23-64); the case data contains related component information indicating a component related to the trouble (see Calvert col.1, lines 38-67; col.2, lines 23-64); said trouble management program controls said server computer to further execute a third storing step of storing maker data uniquely related to the maker and containing provided-component information indicating the component provided by the maker (see Cohen col.2, lines 56-67 to col.3, lines 1-17, look for fault in the fault database, if fault is not found, it is determine that the fault is the new fault and forward it to the vendor); said second transmitting step transmits the new notification data containing using component information in the trouble data to only said maker-sided device of the maker related to the maker data containing the provided-component information corresponding to the component indicated by the using component information in the trouble data (see Cohen col.2, lines 56-67 to col.3, lines 1-17, look for fault in the fault database, if fault is not found, it is determine that the fault is the new fault and forward it to the vendor); said obtaining step obtains the answer data from said maker-sided device to which the new notification data has been transmitted in said second transmitting step (see Cohen col.2, lines 56-67 to col.3, lines 1-17, look for fault in the fault database, if fault is not found, it is determine that the fault is the new fault and forward it to the vendor); said second storing step stores the new case data including the related component information which indicates only the component related to the trouble, the relation to the

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trouble being analyzed based on the answer data obtained in said obtaining step (see Pretz col.5, lines 1-53; col.6, lines 23-49). The same motivations were utilized in claims 1,5 and 9 applied equally well to claim 2,6 and 10.

As regarding claims 3,7 and 11, Calvert-Cohen-Pretz discloses a step of specifying the maker data which contains the provided-component information corresponding to the related component information in the new case data (see Cohen col.2, lines 56-67 to col.3, lines 1-17, look for fault in the fault database, if fault is not found, it is determine that the fault is the new fault and forward it to the vendor); a step of acquiring consideration data showing a consideration for the new notification data from said maker-sided device of the maker related to the maker data specified in said specifying step (see Cohen col.2, lines 56-67 to col.3, lines 1-17, look for fault in the fault database, if fault is not found, it is determine that the fault is the new fault and forward it to the vendor); and a step of calculating an information providing fee paid to the user on the basis of the consideration data acquired in said acquiring step (see Calvert col.1, lines 38-67; col.2, lines 23-64). The same motivation was utilized in claims 1,5 and 9 applied equally well to claim 3,7 and 11.

As regarding claims 4,8 and 12, Calvert-Cohen-Pretz discloses a step of extracting the case data containing the related component information corresponding to the provided-component information in the maker data with respect to each maker (see Cohen col.2, lines 56-67 to col.3, lines 1-17; and a step of generating maker-oriented data for each maker on the basis of the extracted case data (see Cohen col.2, lines 56-

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67 to col.3, lines 1-17. The same motivation was utilized in claims 1,5 and 9 applied equally well to claim 4,8 and 12

Response to Arguments

Applicant's arguments filed 6/20/06 have been fully considered but they are not persuasive.

As regard to applicant's argument that the prior art fail to disclose, "new notification data being transmitted according to data related to a maker". Examiner respectfully disagrees, Cohen teaches look for trouble (i.e. fault) in the fault database, if cannot find in the fault database, forward the notification data (i.e. error parameter) to appropriate vendor (see Cohen col.2, lines 55-67; col.3, lines 1-9).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

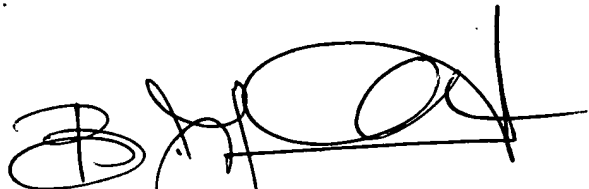
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER